

IN SENATE OF THE UNITED STATES.

MARCH 28, 1848.

Submitted, and ordered to be printed.

Mr. RUSK made the following

REPORT:

[To accompany bill S. No. 187.]

*The Committee on Military Affairs, to whom was referred the petition of David Wilkinson, praying remuneration for inventions made by him, and for which he received no pecuniary benefit, have had the same under consideration.*

It appears that David Wilkinson, the petitioner, obtained, in the year 1798, letters patent for the discovery of a machine for cutting iron, &c., called the "guage or slide lathe." The inventor of this valuable improvement was, during the fourteen years to which the duration of his patent right was limited, occupied, for the most part, in the manufacture of cannon for the navy and perfecting the iron power loom which has contributed so much to our national wealth and prosperity. Owing to these circumstances, and, perhaps, in part to the inattention to matters of detail which too often characterizes men of genius, and ignorance of the requisitions of the law, the memorialist omitted to obtain, in 1812, when his original patent expired, a renewal of the right which, under the circumstances, would have been, without doubt, granted. Being thus left open to general use, an invention so vastly important in its character could not fail to be sought after, not only by the public at large, but also by the agents of the government engaged in the fabrication of arms of various descriptions; and hence we find that the guage and sliding lathe was early introduced and made use of in all of the arsenals and armories of the United States. Of the great utility, or rather indispensableness of the machine in turning and forming the various portions of fire-arms of different descriptions, the most conclusive evidence is found in the numerous communications from officers belonging to the ordnance department, and others high in command, which accompany the petition, all of which go to show the vast saving of labor and expense which has been effected by its introduction.

In the opinion of your committee, there is no object to which the fostering care of the government can be more legitimately, as

well as beneficially directed, than the promotion of improvements suggested by the inventive talent of our countrymen, in connection with manufacturing and the mechanical arts. Without affecting to claim for our country the first place among the nations of the earth for perfection in the useful arts, it may be safely said, that to no other cause can the almost miraculous advancement of our national and individual wealth and prosperity be more justly attributed, than the high and honorable consideration extended by our countrymen to what are termed the working classes, and the just appreciation attached by them to labor in its infinite variety of application. It is to this cause we must attribute the respect paid to American talent throughout every country of Europe, and the gratifying fact that the engines, at present most approved and in most general use on the railroads and in the factories of the most civilized portions of the old world, have been constructed by American workmen, or are the results of American intelligence.

In the case now under special consideration, the committee find a most powerful and striking illustration of the force of American genius, but unfortunately the country at large has been permitted to enjoy the advantages growing out of an invention which, in the opinion of a distinguished mechanist, has given to man, weak as he is, the power of the horse in propelling machinery and causing the hardest metals to yield to his skill, while the gifted individual to whom we are indebted for it has failed to reap any adequate advantage from it. Through the agency of this invention, of which the memorialist is the true and undisputed author, the national government has been enabled to effect objects scarcely attainable by other means, or, if within their reach, not to be procured unless at a cost that can scarcely be calculated. If it be urged, that the inventor might have secured to himself the benefits of his discovery, for a time at least, by applying at the proper period for a renewal of his patent, and that he has himself to blame for his failure to realize pecuniary profit from it, the answer is plain and conclusive. The fault of the petitioner, if any blame can attach to him, has been that he cared more for extending the field of human knowledge, and thus benefitting mankind, than for the comparatively secondary consideration of enriching himself. Again, his failure to secure a renewal of his patent right, however injurious to himself, has been eminently beneficial to the world at large, and most especially to the government of his country, which, as the committee is informed, has at present in use nearly two hundred of these lathes in the public workshops, constructed at a cost much less than the sum which would have been demanded by the original patentee, had he retained his exclusive privilege.

The committee have bestowed much attention on the subject, and have been induced to adopt the opinion, that to David Wilkinson, as the inventor of the guage and sliding lathe, the government, as well as the country at large, owes a debt of gratitude not to be easily estimated, and that the least that government can do, is to manifest, however inadequately, by a pecuniary compensation,

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Under these impressions, the committee recommend the passage of the accompanying bill.

## REPORT

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placed. Under these impressions, the committee recommended the passage

of the accompanying bill. The bill was passed by the House of

Representatives on the 15th of March, 1847, and the Senate on the

17th of the same month. It was then signed by the President of the

United States, and the bill became a law. The bill was passed by

the House of Representatives by a vote of 100 yeas and 40 nays, and

by the Senate by a vote of 27 yeas and 19 nays. The bill was

signed by the President of the United States on the 17th of March,

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